

REMARKS

Claims 10-20 remain in this application. Claims 1-9 were previously canceled. Reconsideration of the application is requested.

The amendments above are made following consideration of the comments provided by the Examiner in section 1 on page 2 of the Office Action. It is respectfully submitted that all of the claims in this application now comply with the requirements of 35 U.S.C. § 112, second paragraph.

Independent claim 10 is rejected under 35 U.S.C. § 102(b), along with dependent claims 11-20, as anticipated by U.S. Patent 5,906,406 to Pajakowski. Reconsideration is requested.

Claim 10 above defines the locking device forming the subject matter of this application as including, in combination with the locking element and the servo drive specified, retaining grooves within which at least one retaining flange defined by the edge region of the mounting opening is receivable. It is respectfully submitted that these limitations serve to patentably distinguish the present invention from the fuel filler pocket assembly forming the subject matter of the Pajakowski patent. The Examiner identifies the Pajakowski access opening 16 as a "mounting opening" and the Pajakowski body flange portion 17 as a "retaining flange" as recited in claim 10. The Pajakowski flange portion 17, however, is not receivable within retaining grooves defined by an edge region of access opening 16 as claim 10 above requires, and the anticipation rejection of claim 10 is inapplicable to claim 10 above. Nothing noted by the Examiner suggests modifying the Pajakowski assembly so as to meet the limitations noted, moreover, and it is respectfully submitted that claim 10 above is patentable. All

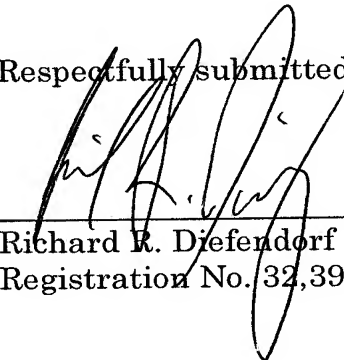
other claims in this application are dependent claims and should be patentable as well.

This application should now be in allowable condition. If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.56273US).

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Respectfully submitted,



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